Refugee Rights in Greece

About the human rights situation in the Greek Islands

Conditions in the camps on the islands fail to meet international humanitarian standards, with overcrowding, failing sanitation services and a large number of mental and physical health problems. The length of time spent on the islands and slow processing of applications means that individuals are forced to remain in potentially harmful conditions. The process by which vulnerability assessments are carried out does not appear to be streamlined or transparent, and centres remain understaffed and under-resourced. This serves to further increase vulnerability and leads to a deterioration of mental and physical health due to the desperate conditions on the islands, which are in turn likely to exacerbate the trauma that the majority have already experienced during their journey or in their country of origin. In addition, the squalid conditions and extended length of time people are trapped on the islands have led to an increase in tensions amongst displaced people, as well as with local residents, alongside a rise in racial discrimination and hate speech against displaced people, demonstrating that the current approach is wholly untenable and in need of urgent change.

What has caused this situation?

- As part of the EU-Turkey Statement from March 2016, the Greek government introduced what has become known as the ‘containment policy’. This is a geographical restriction whereby new arrivals are banned from travelling to mainland Greece until their asylum claims have been processed.
- The legality of this geographical restriction has been widely questioned, and in April 2018 a Greek court ruled against the policy. However, the ruling was swiftly blocked by the Greek Government who transposed EU Directive 2013/33 into Greek law, thus, in effect, continuing the containment policy on the islands.
- The law exempts those identified as ‘vulnerable’ and those eligible for family reunification under the Dublin Regulations, although transfers to the mainland remain inconsistent, with not all vulnerable persons transferred, mainly due to accommodation capacity concerns on the mainland and problems relating to the vulnerability assessments on the islands.

Our overarching vision:

The Greek containment policy comes to an end, with living conditions on the islands and mainland vastly improved through the provision of sufficient services and dignified living conditions which meet European directives standards.

Policy recommendations:

In order to achieve this vision RRE has developed the following set of policy recommendations:

1) The containment policy:

- The Greek containment policy is lifted, ending the practice of restricting the freedom of movement of asylum seekers to certain geographic areas.
- In order to support an end to the containment policy on the islands, European leaders must continue to work on a system for permanent responsibility sharing as part of Dublin IV, including providing incentives for states to play their part in responsibility sharing, in order
to alleviate disproportionate pressure on Greece and support it is ensuring humane conditions for displaced people arriving in Europe;

- Similarly, at the national and European level, family reunification must be made easier to bring about, and based on an expanded definition of family links qualifying for reunification, in order to more evenly share the responsibility among member states and alleviate pressure on Greece as a first EU-entry country.

2) **Conditions on the mainland:**

- In order to facilitate the transfer of asylum seekers off the islands, conditions on the mainland must be vastly improved to meet the requirements of the 2013/33/EU Directive on reception conditions for asylum seekers, and any subsequent directives. Specific attention is given to mental and physical health, education, sexual and reproductive health and rights and gender-appropriate camp design.  
- The ESTIA programme overseen by UNHCR, ought to be further resourced by the European Union Civil Protection and Humanitarian Aid Operations to provide further urban accommodation places on the mainland. Assurances must be given that funding will continue in to 2020;
- The Ministry of Migration ought to cease attempts to curtail the grace period for newly recognised refugees under the ESTIA programme, which risks making hundreds of refugees homeless, particularly since Greece’s welfare system is not currently equipped to offer the necessary support.
- The Greek government must take steps to support a long term and sustainable reception and integration plan, ensuring availability of essential services including social housing, healthcare and education, with financial support from the European Commissions Asylum, Migration and Integration Fund (AMIF).

3) **Conditions on the islands:**

- In anticipation of the lifting of the containment policy, the Greek government, with financial support from the European Commission’s AMIF, must ensure that the requirements of the 2013/33/EU Directive on reception conditions for asylum seekers, and any subsequent directives, are fully implemented on all of the Greek islands. Specific attention is given to mental and physical health, education, safety and security, sexual and reproductive health and rights and gender-appropriate camp design.  
- Pending an end to the containment policy, those identified as vulnerable, regardless of nationality, must be provided with adequate shelter on the islands and transferred to the mainland within a period of 7 days where they receive appropriate specialist support.
- Pending an end to the containment policy, the European Commission must support UNHCR to increase the number of short-term safe accommodation places by 2,000 for individuals who have been deemed ‘vulnerable’ whilst awaiting transfer to the mainland. This accommodation is staffed 24/7 and provides access to mental and physical healthcare.

---


2 Please see RRE’s vision for change for detailed step change.